

PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 32nd Floor
San Francisco, CA 94111
Telephone: (415) 398-0900

1 David M. Given (State Bar No. 142375)
2 Nicholas A. Carlin (State Bar No. 112532)
3 PHILLIPS, ERLEWINE & GIVEN LLP
4 50 California Street, 32nd Floor
5 San Francisco, CA 94111
6 Tel: 415-398-0900
7 Fax: 415-398-0911
8 Email: dm@phillaw.com
9 nac@phillaw.com

6 James M. Wagstaffe (State Bar No. 095535)
7 Michael K. Ng (State Bar No. 237915)
8 Ivo M. Labar (State Bar No. 203492)
9 Michael J. Von Loewenfeldt (State Bar No. 178665)
10 KERR & WAGSTAFFE LLP
11 100 Spear Street, 18th Floor
12 San Francisco, CA 94105
13 Tel: 415-371-8500
14 Fax: 415-371-0500
15 Email: wagstaffe@kerrwagstaffe.com
16 mng@kerrwagstaffe.com
17 labar@kerrwagstaffe.com
18 myl@kerrwagstaffe.com

14 Interim Lead Counsel for Plaintiffs
15 [ADDITIONAL COUNSEL LISTED BELOW]

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

20 IN RE:

21 APPLE IDEVICE ADDRESS BOOK
22 LITIGATION

Case No. 13-cv-00453-JST

CLASS ACTION

**JOINT CASE MANAGEMENT CONFERENCE
STATEMENT**

Hernandez v. Path, Inc., No. 12-cv-1515-JST
Pirozzi v. Apple, Inc., No. 12-cv-1529-JST
Gutierrez v. Instagram, Inc., No. 12-cv-6550-JST
Espitia v. Hipster, Inc., No. 4:13-cv-432-JST
(collectively, the “Related Actions”)

Date: December 10, 2013
Time: 2:00 p.m.
Courtroom: 9, 19th Floor

1 The undersigned parties submit this Joint Case Management Statement in compliance
2 with Federal Rule of Civil Procedure 26(f) and Civil Local Rule 16-9. At the parties' request,
3 the Court continued the prior Case Management Conference scheduled for November 13, 2013
4 to December 10, 2013 at 2:00 p.m., to coincide with hearings on Plaintiff's motion to
5 consolidate and Defendant Kik's motion to dismiss on jurisdictional grounds.

6 The following is an update of the status of matters pending before the Court since the last
7 Joint Case Management Conference statement filed November 6, 2013 (see Dkt. No. 411):

8 **1. Protective Order.**

9 a. Defendants' Position: Following Plaintiffs' recent revelation that two attorneys
10 representing Plaintiffs in this action are admitted to the patent bar, Defendants
11 asked that Plaintiffs' counsel agree that the narrowed and revised patent
12 prosecution bar provision in the proposed protective order be modified to apply
13 to those two Plaintiff attorneys, as well as all defense counsel. Plaintiffs thus far
14 have declined this request, but have indicated a willingness to meet and confer
15 additionally on the issue after the Thanksgiving holiday. Defendants remain
16 willing to meet and confer, but if no agreed resolution is reached, Defendants
17 intend to request modification of the proposed protective order such that the
18 patent prosecution bar applies to the two Plaintiff attorneys admitted to the Patent
19 Bar, just as it does to defense counsel.

20 b. Plaintiffs' Position: The fact of the two attorneys being members of the patent bar
21 was transparent and revealed *before* the protective order was submitted to the
22 Court. Plaintiffs believe that a prosecution bar on these two attorneys is
23 unnecessary.

24 **2. Plaintiffs' Motion to Consolidate.** The Court has set this motion for hearing on
25 December 10, 2013 at 2:00 p.m. (see Dkt. No. 391).

26 **3. Kik Jurisdictional Motion.** The Court has reset this motion for hearing on
27 December 10, 2013 at 2:00 p.m. (see Dkt. No. 413).
28

1 4. **Plaintiffs' Proposed Litigation Guidelines.** Plaintiffs' Steering Committee
2 expects to submit stipulated guidelines later today.

3 5. **Other Case Management Matters.** None.

4 Dated: November 22, 2013

5 By /s/ David M. Given
6 David M. Given (State Bar No. 142375)
7 Nicholas A. Carlin (State Bar No. 112532)
8 PHILLIPS, ERLEWINE & GIVEN LLP
9 50 California Street, 32nd Floor
10 San Francisco, CA 94111
11 Tel: 415-398-0900
12 Fax: 415-398-0911
13 Email: dmg@phillaw.com
14 nac@phillaw.com

15 By /s/ James M. Wagstaffe
16 James M. Wagstaffe (State Bar No. 095535)
17 Michael K. Ng (State Bar No. 237915)
18 Ivo M. Labar (State Bar No. 203492)
19 Michael J. Von Loewenfeld t
20 KERR & WAGSTAFFE LLP
21 100 Spear Street, 18th Floor
22 San Francisco, CA 94105
23 Tel: 415-371-8500
24 Fax: 415-371-0500
25 Email: wagstaffe@kerrwagstaffe.com
26 mng@kerrwagstaffe.com
27 labar@kerrwagstaffe.com
28 mvl@kerrwagstaffe.com

Interim Co-Lead Counsel for Plaintiffs

Carl F. Schwenker (TBN 00788374, *pro hac vice*)
LAW OFFICES OF CARL F. SCHWENKER
The Haehnel Building
1101 East 11th Street
Austin, TX 78702
Tel: 512.480.8427
Fax: 512.857.1294
Email: cfslaw@swbell.net

Plaintiffs' Liaison Counsel

PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 32nd Floor
San Francisco, CA 94111
Telephone: (415) 398-0900

PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 32ndth Floor
San Francisco, CA 94111
Telephone: (415) 398-0900

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Jeff Edwards (TBN 24014406, *pro hac vice*)
EDWARDS LAW
The Haehnel Building
1101 East 11th Street
Austin, TX 78702
Tel: 512-623-7727
Fax: 512-623-7729
Email: jeff@edwards-law.com

Jennifer Sarnelli (State Bar242510)
Kira German (*pro hac vice*)
GARDY & NOTIS, LLP
501 Fifth Avenue, Suite 1408
New York, NY 10017
Tel: 212-905-0509
Fax: 212-905-0508
Email: jsarnelli@gardylaw.com
kgerman@gardylaw.com

Plaintiffs' Steering Committee ("PSC")

PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 32ndth Floor
San Francisco, CA 94111
Telephone: (415) 398-0900

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By /s/ Robert B. Hawk
Robert B. Hawk (State Bar No. 118054)
Maren J. Clouse (State Bar No. 228726)
Jenny Q. Shen (State Bar No. 278883)
HOGAN, LOVELLS US LLP
525 University Avenue, 4th Floor
Palo Alto, CA 94301
Tel: 650-463-4000
Fax: 650-463-4199
Email: robert.hawk@hoganlovells.com
maren.clouse@hoganlovells.com
jenny.shen@hoganlovells.com

GIBSON, DUNN & CRUTCHER LLP
1881 Page Mill Road
Palo Alto, CA 94036
Tel: 650-849-5300
Fax: 650-849-5333

Attorneys for Defendant Apple Inc.

By /s/ Harmeet K. Dhillon
Harmeet K. Dhillon (State Bar No. 207873)
Krista L. Shoquist (State Bar No. 264600)
DHILLON & SMITH LLP
177 Post Street, Suite 700
San Francisco, CA 94108
Tel.: 415-433-1700
Fax: 415-520-6593
Email: harmmeet@dhillonsmith.com
kshoquist@dhillonsmith.com

Attorneys for Defendant Gowalla Incorporated

By /s/ Jeffrey M. Movit
Jeffrey M. Movit (*pro hac vice*)
MITCHELL SILBERBERG & KNUPP LLP
12 East 49th Street, 30th Floor
New York, NY 10017
Tel: 917-546-7708 (direct)
Fax: 917-546-7678
Email: jmm@msk.com

Attorneys for Defendant ZeptoLab UK Limited

PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 32ndth Floor
San Francisco, CA 94111
Telephone: (415) 398-0900

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By /s/ Tyler G. Newby
Tyler G. Newby (State Bar No. 205790)
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Tel: 415.875.2300
Fax: 415.281.1350
Email: tnewby@fenwick.com

Attorneys for Defendant PATH, INC.

By /s/ Michael H. Page
Michael H. Page (State Bar No. 154913)
DURIE TANGRI LLP
217 Leidesdorff Street
San Francisco, CA 94111
Tel: 415-362-6666
Fax: 415-236-6300
Email: mpage@durietangri.com

Attorneys for Defendants Yelp Inc. and Foodspotting, Inc.

By /s/ Mazda K. Antia
Mazda K. Antia
COOLEY LLP
4401 Eastgate Mall
San Diego, CA 92121-1909
Tel: 858-550-6000
Fax: 858-550-6420
Email: mantia@cooley.com

Attorneys for Defendants Facebook, Inc., Instagram, Inc., and Kik Interactive, Inc.

By /s/ David F. McDowell
David F. McDowell (State Bar No. 125806)
MORRISON & FOERSTER LLP
707 Wilshire Boulevard
Los Angeles, CA 90017-3543
Tel: 213-892-5200
Fax: 213-892-5454
Email: DMcDowell@mofo.com

Attorneys for Defendant Foursquare Labs, Inc.

PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 32ndth Floor
San Francisco, CA 94111
Telephone: (415) 398-0900

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By /s/ Michele Floyd
Michele Floyd (State Bar No. 163031)
ZWILLGEN LAW LLP
915 Battery Street, Second Floor, Suite 3
San Francisco, California 94111
Tel: 415-590-2340
Fax: 415-590-2335
Email: Michele@zwillgen.com

Marc J. Zwillinger (*pro hac vice*)
Jacob A. Sommer (*pro hac vice*)
ZWILLGEN PLLC
1705 N St NW
Washington, DC 20036
Tel: 202-296-3585
Fax: 202-706-5298
Email: marc@zwillgen.com
jake@zwillgen.com

*Attorneys for Defendants Electronic Arts, Inc. and
Chillingo Ltd.*

By /s/ Christopher G. Kelly
Christopher G. Kelly
Judith R. Nemsick
HOLLAND & KNIGHT LLP
31 West 52nd Street
New York, New York 10019
Tel: 212-513-3200
Fax: 212-385-9010
Email: christopher.kelly@hklaw.com
judith.nemsick@hklaw.com

Shelley G. Hurwitz
HOLLAND & KNIGHT LLP
400 South Hope Street, 8th Floor
Los Angeles, CA 90071
Tel.: 213-896-2476
Fax:
Email: shelley.hurwitz@hklaw.com

*Attorneys for Defendant Rovio Entertainment Ltd.
s/h/a Rovio Mobile Oy*

ATTESTATION

I, David M. Given, am the ECF user whose identification and password are being used to file the instant document. Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that all counsel whose electronic signatures appear above provided their authority and concurrence to file this document.

/s/ David M. Given
Co-Lead Counsel for Plaintiffs

PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 32ndth Floor
San Francisco, CA 94111
Telephone: (415) 398-0900

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